

**Jury Committee**  
**Judicial Conference of Indiana**

February 4, 2005  
Minutes

1. Members present. The following members of the committee were present: Craig Bobay, Sheila Carlisle, Brent Dickson, Jeffrey Heffelfinger, Mark McIntosh, John Pera, Michael Peyton, William Sleva, and William Hughes, Chair.
2. Staff present. Michelle C. Goodman and Tom Carusillo provided the committee with staff assistance.
3. Minutes. The Committee approved the minutes from October 29, 2004.
4. Minimum Orientation Standards and Sample Forms: The Committee reviewed the proposed amendment to the Minimum Orientation Standards to address jurors being able to discuss the case during recesses. After Committee discussion, this proposal was referred to the sub-committee for further review.

The Committee also reviewed the proposed amendment to the sample juror qualification, exemption, and deferral form, which would change the exemption period for completing a term of service from one year to 24 months. The Committee approved this amendment and requested the updated form be posted on the web page.
5. Jury Pool: Judge Pera reported that the Department of Revenue has agreed to integrate their data with the Bureau of Motor Vehicles and provide us with the final product in March. After receipt of the final product, testing will take place with the assistance of JTAC and some counties to ensure the product will meet our expectations. The goal is to have the final lists available to counties in September 2005. Judge Pera also reported that Justice Boehm has been working with this project team. Judge Pera reported that he has been using the exit survey draft and found that a majority of those responding appear on both the voter registration list and the BMV list. Judge Pera indicated that the project team felt that data collected was needed to show whether or not the voter registration list is beneficial to the jury pool in light of the other lists and that this data may be used to amend Jury Rule 2. Some discussion took place that this data collection may not be needed since many already believe the voter list is not the most accurate list. The Committee briefly discussed current legislation to address the formation of the jury pool with lists approved by the Supreme Court. Michelle requested that Committee members provide names of jury administrators from their court that would be willing to participate in the testing process of the list the project team will be receiving.
6. Exit Survey: The Committee discussed adding back into the draft the questions regarding whether a juror is on the voter registration list and the BMV list. The Committee approved these additions to the draft. The Committee determined that the use of this survey would be optional and requested that the survey be distributed to judges. The Committee decided to table the issue regarding survey data collection.
7. Rule Amendments: The Committee reviewed the proposed amendment to Jury Rule 2 regarding the formation of the jury pool. The Committee discussed the second sentence of

the proposed amendment and thought that it may cause an increase in litigation. The Committee decided to strike the second sentence of the proposed amendment and approved the remaining proposal to be sent to the Supreme Court Rules Committee.

The Committee reviewed the proposed amendment to Jury Rule 4 regarding the use of technological programs to receive juror questionnaire responses via automated telephone systems and web-based programs. The Committee approved the proposal to be sent the Supreme Court Rules Committee.

Finally, the Committee reviewed the proposed amendment to Jury Rule 22 regarding mini-summary arguments. The Committee discussed the benefits and drawbacks of such procedures. The Committee discussed that the court and parties could agree to such a procedure without the need to amend the rules to provide for its use. The Committee determined not to adopt this proposed amendment.

8. Legislation: Judge Hughes gave the Committee an overview of legislation that has been filed that related to juries, specifically SB 45, SB 482, HB 1174, HB 1844. Judge Hughes indicated that he would be available to work on this legislation as a judge, but not on behalf of the Committee.
9. Other business: Justice Dickson reported that he attended a meeting in which the ABA distributed materials for Law Day, which will focus on jury service this year. He provided the materials to Michelle if anyone would like copies.
10. Next meeting: The next meeting will be held on Friday, May 20, 2005 at 10:00 a.m. at the Judicial Center.

Respectfully Submitted,

Michelle C. Goodman